

REMARKS/ARGUMENTS

Rejected Claims

Claims 1 and 4 are cancelled herein. Claims 1 and 4 were the only remaining claims rejected over art.

Allowed Claims

Applicants thank the Examiner for the allowance of claims 19 – 32. After review of the allowed claims, Applicants have amended the independent claims 19, 22, 24, 25, 28, and 32 herein to omit the term or phrase “plurality of” or similar language in reference to “dopants” or similar terms. This is done in order to avoid the claims potentially being interpreted unduly narrowly.

A review of the specification will show that the “plurality of dopants” described and referred to in the present application corresponds to and refers to “a plurality of active gain material 93” in the form of ions or atoms of an (one or more) active species. That this meaning would be understood by one of skill in the art may be seen from the many references to individual ions or atoms, as well as to dopants, using the common reference character 93, including “the plurality of active gain material 93,” “optically active ions 93,” “optically active dopants 93,” “a plurality of optically active ions 93,” “other transitional or rare-earth ions 93,” “some ions 93,” “other optically-active ions, such as other transitional or rare-earth metals 93,” “Yb atoms 93,” “active portion 93,” “one or two rows of doped ytterbium 93,” “dopants 93,” “active ions 93,” and “active dopants 93.” One of ordinary skill can appreciate that only one species of dopant is used in at least some embodiments, and that the plurality refers to a plurality of ions or atoms, as may be seen from the figures, such as Figs. 1, 2, and 22, for example, where the reference character 93 generally indicates individual atoms or ions of a dopant. Thus even without the present amendments, these claims are understood not to be limited to embodiments with multiple dopant species, and have been so treated during prosecution to date. The present amendments to these allowed claims are intended only to avoid any potential confusion on this point in the future.

Claims Indicated as Allowable

Claims 2, 3, and 5-18 are indicated in the current Action to be allowable, if rewritten in independent form. Claims 2, 3, and 5 are cancelled herein in favor of corresponding or similar claims previously presented and allowed. Claim 6 is amended herein to incorporate the recited features of claim 1, (with the exception of the recitation of "plurality of dopants," for the reason explained above), and is accordingly believed to be in allowable form. Claims 7-10, 12-15, 17 and 18 depend directly or directly from claim 6, and thus no longer depend from a rejected base claim. Claim 11 is cancelled in favor of a corresponding or similar claim previously presented and allowed. Claim 16 is amended herein to incorporate the recited features of claim 1, (with the exception of the recitation of "plurality of dopants," for the reason explained above), and is now believed to be allowable.

Conclusion

Based upon the above amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims and a prompt Notice of Allowance thereon.

Claims 6-10, and 12-32 remain in this application. Claims 6, 16, 19, 22, 24, 25, 28 and 32 have been amended as discussed above. Claims 1-5 and 11 have been canceled.

Applicant believes that a three-month extension of time is necessary to make this Reply timely, and a request for such is submitted together herewith. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Appl. No.: 10/716,892
Amdt. Dated: 26 Dec 2007
Reply to Office Action of: June 26, 2007

Please direct any questions or comments to Gregory V. Bean at 607-974-2698.

26 Dec 2007

Date

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal Service, as first class mail, postage prepaid, addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, Va 22313-1450 on

26 Dec 2007



Gregory V. Bean (Signature)

Respectfully submitted,
CORNING INCORPORATED



Gregory V. Bean
Registration No. 36,448
Corning Incorporated
Patent Department
Mail Stop SP-TI-03-1
Corning, NY 14831